

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN THE MATTER OF:

DONALD POPE,
Debtor.

CHAPTER 13
CASE NO. 10-77242-SWR
JUDGE STEVEN W RHODES

TRUSTEE'S OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

NOW COMES the Chapter 13 Trustee, Krispen S. Carroll, and objects to confirmation of the Chapter 13 Plan in the above matter pursuant to E. D. Mich. LBR 3015-3(a) as follows:

1. Trustee requires a copy of debtor's Judgment of Divorce.
2. Trustee requires an update as to the status of any pending divorce proceedings including any potential child support obligation at confirmation. Trustee notes that debtor must obtain relief from the automatic stay to pursue division of property and must receive prior Bankruptcy Court approval of any property settlement. Trustee further requires the name and address of debtor's divorce attorney.
3. Trustee requests documentation of the loan balance and payoff date for debtor's 401(k) loan.
4. Based upon Trustee's calculations, debtor's Plan is underfunded and infeasible.
5. As debtor's entire budget is only \$1,242.00 per month and debtor does not have federal taxes withheld, Trustee questions the feasibility of debtor's Chapter 13 Plan pursuant to 11 U.S.C. § 1325(a)(6).
6. Trustee objects to language in Part I.D.1.c. of the Chapter 13 Plan directing the Trustee to hold all funds.

WHEREFORE, the Chapter 13 Trustee prays this Honorable Court deny confirmation of the debtor's Chapter 13 Plan.

OFFICE OF THE CHAPTER 13 TRUSTEE-DETROIT
Krispen S. Carroll, Chapter 13 Trustee

February 9, 2011

/s/ Maria Gotsis
KRISPEN S. CARROLL (P49817)
MARGARET CONTI SCHMIDT (P42945)
MARIA GOTSIS (P67107)
719 Griswold Street
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CERTIFICATE OF MAILING

I hereby certify that on the date indicated below, I electronically filed **TRUSTEE'S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN** with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

MARRS & TERRY PLLC
6553 JACKSON RD
ANN ARBOR, MI 48103-0000

and I hereby certify that I have mailed by United States Postal Service the above mentioned documents to the following non-ECF participants:

DONALD POPE
891 PRIMROSE
MILAN, MI 48160-0000

February 10, 2011

/s/ Barbara A. Ecclestone
Barbara A. Ecclestone
For the Office of the Chapter 13 Trustee-Detroit
719 Griswold Street
1100 Dime Building
Detroit, MI 48226
(313) 962-5035
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